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FACEBOOK, INC.  
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9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN FRANCISCO DIVISION  
12

13 DANIEL M. MILLER,

14 Plaintiff,

15 v.

16 FACEBOOK, INC. and YAO WEI YEO,

17 Defendants.  
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Case No. 3:10-CV-00264 (WHA)

**STIPULATION OF DISMISSAL  
PURSUANT TO FED. R. CIV. P.  
41(A)(1)**

Court: Courtroom 9, 19th Floor  
Judge: Honorable William Alsup

1 It is hereby stipulated by and between counsel to Plaintiff Daniel M. Miller ("Miller") and  
2 counsel to Defendant Facebook, Inc. ("Facebook"), pursuant to Rule 41(a)(1) of the Federal  
3 Rules of Civil Procedure, as follows:

4 1. Defendant Facebook is dismissed with prejudice from all claims in the above-  
5 captioned action.

6 2. Plaintiff Miller is dismissed with prejudice from all counterclaims in the above-  
7 captioned action.

8 3. Each party will bear its own costs and attorneys' fees.

9 4. This Court will retain jurisdiction to enforce the Settlement Agreement between  
10 these parties, dated March 17, 2011.

11 5. This stipulation is not intended to dismiss or dispose of Plaintiff's pending claims  
12 in the above-captioned action against Defendant Yao Wei Yeo.

13 Dated: March 17, 2011

HENINGER GARRISON DAVIS, LLC

14  
15 /s/ Timothy C. Davis

TIMOTHY C. DAVIS  
Attorneys for Plaintiff  
DANIEL M. MILLER

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17  
18 Dated: March 17, 2011

ORRICK, HERRINGTON & SUTCLIFFE LLP

19  
20 /s/ I. Neel Chatterjee

I. NEEL CHATTERJEE  
Attorneys for Defendant  
FACEBOOK, INC.

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22  
23 **Filer's Attestation:** Pursuant to General Order No. 45, §X(B), I attest under penalty of  
24 perjury that concurrence in the filing of the document has been obtained from its signatory.

25  
26 Dated: March 17, 2011

Respectfully submitted,

27 /s/ Julio Avalos

JULIO C. AVALOS